

STATE OF NEW HAMPSHIRE  
BOARD OF PHARMACY

**November 21, 2007**

The regular meeting of the New Hampshire Board of Pharmacy was held on **November 21, 2007** at the Board of Pharmacy office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:05 a.m.** with President George Bowersox presiding.

**I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS**

**PRESENT**

George L. Bowersox , President  
Ronald L. Petrin, Vice-President  
Margaret E. Hayes, Treasurer  
Sandra B. Keans, Secretary  
Kristina Genovese, Member  
Vahrij Manoukian, Member

**ALSO PRESENT**

Paul G. Boisseau,  
Executive Secretary  
Peter A. Grasso,  
Chief Compliance Investigator

**II. REVIEW / ADOPTION OF MINUTES**

Minutes of the **October 17, 2007** regular meeting of the Board were **accepted as submitted. (Manoukian/Genovese) Voted (unanimous).**

**III. LICENSING**

**A. Pharmacists**

**Request for Removal of Certain Sanctions**

**STYLES, JR. FRANK E.**

Exeter, NH

- NH License No. 2265
- License conditionally reinstated on November 15, 2006.

**Motion (Petrin/Keans) to grant a waiver of Condition #3 as stipulated in Mr. Styles November 15, 2006 conditional reinstatement of pharmacist license. This waiver allows Mr. Styles to serve as pharmacist-in-charge without restrictions. The Board reserves the right to monitor Mr. Styles' compliance with the other stipulated conditions of reinstatement, which**

remain in effect until December 1, 2011, and may amend this waiver as necessary. Voted (Passed - Commissioner Genovese recused).

## B. Pharmacy Technicians

### 1. Request for Reinstatement

**SPENCER, Cynthia**

Littleton, NH

- NH Registration No. PT0678
- Voluntary Surrender: June 3, 2006.

**Motion (Manoukian/Genovese) to grant reinstatement and registration of pharmacy technician No. PT0678 issued to Cynthia Spencer. Voted (unanimous).**

### 2. Voluntary Surrender

**PINO, Joshua B.**

Rochester, NH

- NH Registration No. PT5154
- Case File: ROI 91/07.

**Motion (Genovese/Manoukian) to accept the *Voluntary Surrender* of pharmacy technician registration No. PT5154 issued to Joshua B. Pino. Voted (unanimous).**

## C. Pharmacies

### 1. Disciplinary

**MEDICOM Rx**

Tampa, FL

- NH Non-Resident Pharmacy Registration No. NR0463
- Case File: ROI 94/07.

**Motion (Manoukian/Keans) to accept a proposed *Settlement Agreement* which, in part, imposes a \$20,000 administrative fine of which \$15,000 is conditionally suspended for a period of five years and that neither Medicom Rx or its pharmacist-in-charge (Vinesh Darji) shall apply for out-of-state mail order registration and/or licensing of Mr. Darji. Voted (unanimous).**

2. Extension-of-Time

**WALGREENS #09646**

615 Daniel Webster Highway  
Merrimack, NH 03054

Pharmacist-In-Charge: **Kerri A. Vallante, R.Ph.**

NH Pharmacist License No. 3444

Owner/Corporate Officer/Supervisor: **Leo Lariviere, R.Ph.**

Pharmacy Supervisor

**Motion (Manoukian/Genovese) to grant a 60-day extension-of-time for the primary inspection of the pharmacy due to construction delays and provided that no changes to the information contained in the original application approved by the Board, on September 19, 2007, shall occur. This extension shall expire on January 21, 2008. Voted (unanimous).**

IV. COMPLIANCE UNIT

**Activity Report**

- October 2007

**Motion (Manoukian/Genovese) to accept the report as submitted. Voted (unanimous).**

V. NEW BUSINESS

A. **Omnicare, Inc.**

Englewood, OH

- Request for “authorization” (opinion) to establish a facility-specific drug formulary for long term care facilities serviced by Uni-Care Health Services (Londonderry, NH) and NeighborCare (Pembroke, NH).

**Opinion:** There are no specific statutes and/or administrative rules, in New Hampshire, that would preclude the establishment of “facility specific formularies” for long term care facilities located in New Hampshire and serviced by New Hampshire licensed Omnicare pharmacies. The Board notes that Omnicare did submit a written “procedure” it proposes to implement in the development of such formularies (see Board file – Omnicare Pharmacies). **No authorization required.**

**B. Elliot Hospital**  
Manchester, NH

- Request for waiver of Ph 703.05(r)(2) of the NH Code of Administrative Rules.

**Opinion:** The Board notes that institutional pharmacies are exempt from Ph 703.05(r)(2), which requires a hardcopy printout of prescription information when converting to a new electronic data processing system. This exemption is recognized by Ph 703.05(q)(1) of the NH Code of Administrative Rules. **The exemption is recognized and granted.**

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The meeting was recessed at 11:11 A.M.

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*A non-public session was called (Manoukian/Keans) at 11:11 A.M. with Commissioners Bowersox, Genovese, Hayes, Keans, Manoukian and Petrin present.*

*Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.*

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*The non-public session was adjourned at 11:48 A.M.*

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*The regular meeting was reconvened at 11:48 A.M.*

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**VI. ADJOURNED 11:55 A.M.**

Respectfully Submitted,

Sandra B. Keans  
Secretary  
FOR THE BOARD